

[Counsel are listed on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

POGA MGMT PTNRS LLC,

Plaintiff,

v.

MEDFILER LLC, d/b/a RPG  
CONSULTANTS, ALVIN RAPP, EVAN  
RAPP and DOES 1-20,

Defendants.

MEDFILER LLC, d/b/a RPG  
CONSULTANTS, ALVIN RAPP and EVAN  
RAPP,

Counterclaim-Plaintiffs,

v.

POGA MGMT PTNRS LLC and MICHAEL  
GAMBOA,

Counterclaim-Defendants.

Case No. 4:12-cv-06087-SBA

**STIPULATION AND ~~[PROPOSED]~~**  
**ORDER CONTINUING NOVEMBER 18**  
**TELEPHONE CONFERENCE**

Date: November 18, 2014  
Time: 1 p.m.  
Judge: Hon. Nandor J. Vadas  
Courtroom: 205A, 2nd floor

WHEREAS, on November 4, 2014, the Court set a status conference for November 18, 2014, at 1 p.m., for the purpose of setting a date for a mandatory settlement conference (Docket No. 86);

WHEREAS, on November 12 the Law Offices of Abe Lampart, PC, entered an appearance for plaintiff/counterclaim-defendant Poga Management Partners LLC and counterclaim-defendant Michael Gamboa (collectively "Plaintiff/Counterclaim-Defendants");

WHEREAS, the operative pretrial order in this litigation requires that a mandatory settlement conference be held no later than January 24, 2015 (Docket No. 53);

WHEREAS, on November 12 Plaintiff/Counterclaim-Defendants filed a motion to amend the pretrial order to set a series of new deadlines in the litigation, including a deadline of August 2015 for the mandatory settlement conference (*see* Docket Nos. 89, 91);

WHEREAS, if the Court's decision on the motion to amend, set for hearing on December 23, 2014, confirms the January 24, 2015 deadline for a mandatory settlement conference, counsel for Plaintiff/Counterclaim-Defendants has limited availability until late January 2015, and is available on January 22 or January 23; and

WHEREAS, counsel for the Defendants/Counterclaim-Plaintiffs is not available for the currently scheduled telephone conference on November 18;

THE PARTIES HEREBY REQUEST THAT THE COURT ENTER AN ORDER AS FOLLOWS:

1. The November 18 telephone conference is vacated.
2. The Court will EITHER:
  - a. ~~Set the mandatory settlement conference for January 22 or January 23, 2015, subject to the Court's decision on Plaintiff/Counterclaim-Defendants' motion to amend,~~
  - OR -
  - b. If the Court cannot schedule January 22 or January 23, 2015, for the mandatory settlement conference in this matter, the Court will set a new

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP  
101 CALIFORNIA STREET, SUITE 2300  
SAN FRANCISCO, CALIFORNIA 94111

1 telephone conference for December 9, 2014, at 1 pm, to discuss alternative  
2 Parties dial 888-684-8852  
3 dates for the mandatory settlement conference, and enter access code  
4 1868782 to make appearances.

5 3. In the event that Plaintiff/Counterclaim-Defendants' pending motion to amend the  
6 scheduling order is granted, the Court will set a further telephone conference at a later date in  
7 order to reschedule any settlement conference.

8 Dated: November 17, 2014

LAW OFFICES OF ABE LAMPART, PC

9 /s/ Abe Lampart

10 ABE LAMPART

11 Attorneys for Plaintiff /Counterclaim-Defendant  
12 POGA MGMT PTNRS LLC and Counterclaim-  
13 Defendant Michael Gamboa

14 Dated: November 17, 2014

KASOWITZ, BENSON, TORRES &  
FRIEDMAN LLP

15 /s/ Jason S. Takenouchi

16 JASON S. TAKENOUCHI

17 Attorneys for Defendants/Counterclaim-Plaintiffs  
18 MEDFILER LLC, d/b/a RPG CONSULTANTS,  
19 ALVIN RAPP, and EVAN RAPP

20  
21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22  
23 Dated: November 18, 2014



24 HON. NANDOR J. VADAS  
25 United States Magistrate Judge  
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